

## **MINUTES**

The Tennessee State Board of Cosmetology held a meeting on June 4, 2007 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: Linda Colley, Chairman, H. D. Adcock, Vice Chairman, June Huckleby, Janet Wormsley, Judith Jackson and Judy Golden. Hazel Moore and Lee Bowles were not present.

Others present were: Beverly Waller, Executive Director, Kathryn Wiseman, Staff Attorney and Debbie Gean, Administrative Assistant I.

Chairman Linda Colley called for roll call.

## **MINUTES**

MOTION was made by Ms. Judith Jackson and seconded by Ms. Janet Wormsley to accept the minutes from the April 2, 2007 board meeting. Motion carried unanimously.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judith Jackson to accept the minutes from the May 7, 2007 board meeting. Motion carried unanimously.

## **APPEAR BEFORE THE BOARD**

Dr. Raylean Henry & Callie Leousis – Director of Regents Online Continuing Education & Director of Continuing Education – Tennessee Board of Regents – Present. Dr. Henry discussed offering an online continuing education course for instructors. Dr. Henry stated this would be an excellent way for instructors to receive the 16 hours of continuing education without attending the seminars. Dr. Henry stated that there would be no cost to develop this course.

Mr. H. D. Adcock stated this would be an excellent way for the instructors to receive continuing education classes. Mr. Adcock asked that Dr. Henry contact CEA concerning the continuing education classes.

## **ADMINISTRATIVE REPORT**

### Cosmetology Schools Request

Request for approval for new school of cosmetology –Athens School of Beauty located in Athens, Tennessee. This school has been inspected for opening by Board Member June Huckleby and Board Inspector Larry Chadwick. School was in compliance and given a grade of 100. Ms. Waller reviewed the applications for 20 students with school owner Carrie Hamby and part/time students hours will be 8:30 to 2:30 Monday, Wednesday, Thursday and Friday. Previous hours for part/time students was 8:30 to 2:30

Monday, Wednesday and Friday which only totaled 18 hours per week and the required is minimum of 25 hours per week. Board approval requested.

Ms. June Huckleby stated that the school was in compliance and Ms. Hamby, School Owner asked if the students coming from the high school with 200 cosmetology hours be allowed to work on the clinic floor. The board stated that yes they could work on the floor.

MOTION was made by Ms. Judy Golden and seconded by Ms. Judith Jackson to approve the opening of the school. Motion carried unanimously.

A request from Georgia Career Institute for an additional classroom for the esthetics freshmen students was submitted to the office. The additional classroom will house the freshman esthetics students for approximately 140 clock hours. The room is located directly across the street in a separate building. The classroom will consist of treatment beds for practice and the proper equipment for training in addition to a sink, two fully equipped bathrooms, and handicap accessible. Floor plan was attached with certificate of occupancy from the City of Murfreesboro.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to accept the additional classroom space and have Ms. June Huckleby inspect the school. Motion carried unanimously.

A request for approval to offer the esthetics curriculum at all three of the Volunteer Beauty Academy schools was submitted to the office. Attached is a program outline, student kit checklist, a list of instructional materials and equipment which they plan to use for start of the program. Once the curriculum has been approved by the Board they will set up the facilities and notify the board they are ready for inspection.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to accept the curriculum at all three locations. Motion carried unanimously.

#### Request for Extension from Instructor Seminars

A request for extension from the 2006 instructor seminar from Angela Hill was received in the office. Attached medical statement from Physician stating Ms. Hill was under his care from June for 2005 until March of 2007.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huckleby to accept the medical extension and have Ms. Hill attend seminars in 2008 & 2009. Motion carried unanimously.

A request for extension from the 2006 instructor seminar from Phyllis Simmons was received. Due to terrible sickness with her mother and working 8-10 hours a day she got confused and thought she did not have to attend the seminar until 2007 due to the fact license expiration date was November of 2007.

MOTION was made by Ms. Judy Golden and seconded by Ms. Judith Jackson to grant Ms. Simmons an extension from the 2006 seminar and have her attend the next two years 2008 & 2009. Motion carried unanimously.

A request for extension from the 2006 instructor seminar from Carol O. Sager was received. Ms. Sager explains in her letter she was confused and thought she had attended the seminar in 2006 because she had attended another event in Nashville.

MOTION was made by Ms. Judith Jackson and seconded by Mr. H. D. Adcock to grant extension from the 2006 seminar and have Ms. Sager attend in 2007 and 2008. Motion carried unanimously.

A request from Jessie Sanders for approval of hours she obtained at the CEA Annual Convention in 2006 (which was the year she was not required to attend the seminar) for required hours of attendance of the instructor seminar in 2007.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to accept the hours Ms. Sanders attended in 2006 for her 2007 seminar. Motion carried unanimously.

A request from Denise Cavett for approval of hours she obtained at the CEA Annual Convention in 2006 (which was the year she was not required to attend the seminar) for required hours of attendance of the instructor seminar in 2007.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to accept the hours Ms. Cavett attended in 2006 for her 2007 seminar. Motion carried unanimously.

### Reciprocity Request

Application for reciprocity of cosmetology license from Jennifer D. Frederick from Pennsylvania. This application was presented to the Board at the April meeting at which time she had submitted previous work history and stated the reason she had not work as a cosmetologist since August of 2005 was because her husband was in the military and stationed in Virginia and she did not want to get a license for a short period of time because they were only in Virginia for 1 ½ years. The board had request proof of her husband military location. She has submitted proof of her husband's assignment to Fort Monroe, Virginia.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to grant Ms. Frederick reciprocity for her cosmetology license. Motion carried unanimously.

Application for reciprocity of cosmetology license from Farnaz Esmaili from Iran. Educational documents from Iran states she completed 2,700 hours of cosmetology

training at Chehreha College in the city of Tehran and successfully passed the related examinations.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to have Ms. Esmaili take the full cosmetology examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Carol Ann Johanson from New York. Educational hours 1,000. She was a salon owner, "Carol's Country Clippers" from 1999 to 2004. She closed her shop Dec/Jan 2005 with plans to move to Tennessee but did not move until July 2005 due to husband's employment.

MOTION was made by Ms. Judith Jackson and seconded by Ms. June Huckleby to grant Ms. Johanson reciprocity of her cosmetology license. Motion carried unanimously.

Application for reciprocity of manicurist license from Wisconsin for Ut Thi Lam. Educational hours 300. Work history supported by federal tax documentation for 2005, 2004 and 2006. Letter from Ho Dung owner of Dream Nails salon stated Ms. Lam worked for him in salon in 2002 and 2003 but that she was just practicing so he could not pay her therefore she had no proof of income for those years. Certification from the Wisconsin Board state she received her license 10/08/2004. Wisconsin does not have an apprenticeship program.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to have Mr. Lam take the full manicurist examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Angela Diane McMahon. Educational hours 1,200. Work history Shear Perfection 01//2002 – 06//2003, 07/2003 - 06/2005, 8/2005 - 11/2006, 11/2006 - 12/2006. Does not have a complete 5 year work history.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to have Ms. McMahon take the full cosmetology examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of manicurist license from California & Minnesota for Mai Huynh Huong. Her hours of instruction are 400. Federal tax documents submitted for proof of 5 year work history listed Ms. Huong as homemaker. Received letter from A& M Accounting which state Mai Huynh Huong has been employed in her husband's nail salon business for the past 5 years. Ms. Huynh did not draw an official paycheck she was the manager and principal manicurist. The board voted previously to have Ms. Huong return to school for an addition 200 hours and take the examination.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden that the previous decision stands to have Ms. Huong return to school for 200 hours and take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of manicurist license from Arizona for Sheena Pribble. Educational hours are 300. Application was submitted at the May board meeting at which time Ms. Pribble stated she could not provide a recent and consist five year work history because her husband was in the military and they were required to relocate often. The Board has requested she provide proof of her husband's military service. She has submitted documents showing transfer from Ft Benning, Georgia to Ft. Campbell, Ky. and also a military leave and earning statement.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to grant Ms. Pribble reciprocity of her manicurist license. Motion carried unanimously.

#### Examination Approval

Application for examination approval submitted by Flora A. Tezi from Tennessee Academy of Cosmetology. General Certificate of Education documents submitted for proof of high school education from the Republic of Cameroon. Ms. Waller spoke with Ms. Tezi and this is the only document she has, for proof of completion of high school. This was accepted by Tennessee Academy of Cosmetology when she enrolled 3/2006. Board approval requested.

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Janet Wormsley to accept proof of high school education. Motion carried unanimously.

#### Miscellaneous

Continuing Education Seminar approvals - Hazel Moore - Memphis, Janet Wormsley and Judy Golden- Knoxville, Linda Colley, H. D. Adcock and June Huckey - Nashville.

Ms. June Huckey stated she does not believe the person responsible for seminar approvals understands the importance of Board Members attending the seminars. Ms. Huckey stated the board approves the seminar agenda and she would be attending the Memphis and Knoxville seminars, no matter if the state pays her expenses or not.

MOTION was made by Ms. Judith Jackson and seconded by Ms. Janet Wormsley to accept the seminar approvals. Motion carried unanimously.

Ms. Waller stated that Board Chairman Linda Colley and she attended a meeting held by the Department concerning formal hearings. The information you have in your packets was covered in that meeting and she is sharing that information with you because we have several formal hearings pending.

Chairman Linda Colley stated that all board members should save this information for the formal hearings.

Application for reciprocity of manicurist license from Florida for Aimee Coccodrilli. Her education hours are 240. Work history has gap from April 2005 to January 2006 which she states, due to two moves in less than 8 months. She states she has moved quite a bit in the past 10 years due to husband's job.

MOTION was made by Mr. H. D. Adcock and Ms. Janet Wormsley to have Ms. Coccodrilli obtain an additional 360 hours and take and pass the manicurist examination to be licensed in the State of Tennessee. Motion carried unanimously.

Request from Jamie Gregory, Cosmetology Instructor at Tennessee School of Beauty. Ms. Gregory is requesting an extension from her required attendance of the 2007 instructor seminar due to her pregnancy. Due date notification from her physician attached.

MOTION was made by Ms. Judith Jackson and seconded by Ms. Judy Golden to accept the request for extension and have Ms. Gregory attend the 2008 and 2009 Instructor seminars. Motion carried unanimously.

Ms. Janet Utter is requesting reciprocity of her cosmetology license from Indiana. Her education hours are 1,000. Certification from the State of Idaho where she is currently licensed states she received her license in that state by endorsement from New York and passed the Idaho State laws and rules examination. Employment with L'Oreal states she was employed with the Matrix Division for L'Oreal USA from 5/1993 to 2/2002. During her employment she held various training and education positions including her most recent role as Field Development Manager, which requires a current cosmetology license.

MOTION was made by Ms. Judith Jackson and seconded by Ms. June Huckleby to grant Ms. Utter reciprocity of her cosmetology license. Motion carried unanimously.

Request from Tommie Hill to place his cosmetology instructor license in an inactive status. Mr. Hill was granted an extension from the 2005 instructor seminar and required to attend seminars in 2006 and 2007. Mr. Hill attended the 2006 at Southwest Community College and is now requesting his license be placed in an inactive status and he has not fulfilled the requirements granted with the extension.

MOTION was made by Ms. Judith Jackson and seconded by Ms. Judy Golden to advise Mr. Hill to complete his first requirement to attend 2007 seminar then ask for an inactive status. Motion carried unanimously.

A memo from PSI which is a follow up to the email Ms. Waller sent advising of the likely passage of the bill currently in the legislature for licensing as instructors for

manicurist, aestheticians and natural hair styling. This memo advises of the steps that will need to be taken to develop topics for the additional instructor examinations once the bill has passed. Board members were asked to please give Ms. Waller any names of anyone they would like to serve on the exam review committee (license instructors, etc.)

The board members discussed who they would like to be on the committee.

Request from Cynthia Dean who is a representative for “Enitiy” a company which sells products for nails and they are low odor products. Ms. Dean would like to come to the next scheduled board meeting and introduce these product.

The board agreed to have Ms. Dean come and bring her products to the next scheduled board meeting.

Ms. Beverly Waller, Executive Director informed the board that Ms. Judith Jackson will be resigning from the board. Ms. Jackson thanked the board and staff for all they have done for her. Chairman Linda Colley stated that Ms. Jackson will be missed and thanked her for all she has done for the board.

Consent orders totaled \$2,500.00.

Secrets DeBeaute  
1745 Galleria Blvd.  
Franklin, TN 37067

Violation issued March 22, 2007  
Pd \$250.00 on 5-16-07

California Nails  
7600 Kingston Pike  
Knoxville, TN 37919

Violation issued February 15, 2007  
Pd \$1,000.00 on 5-16-07

Elegant Nails  
811 Hwy 68  
Sweetwater, TN 37874

Violation issued March 9, 2007  
Pd \$750.00 on 5-30-07

Nail Tips  
3925 Hixson Pike  
Chattanooga, TN 37415

Violation issued March 17, 2007  
Pd. \$500.00 on 6-4-07

MOTION was made by Ms. Janet Wormsley and seconded by Ms. Judy Golden to accept the consent orders. Motion carried unanimously.

Ms. Beverly Waller, Executive Director informed the board of Ms. Ernestine Peete, Board Member resignation from the board.

## **STAFF ATTORNEY REPORT**

### **1. Case No.: L07-COS-RBS-2007062091**

March 18, 2007 Notice of Violation provides that the inspector observed an unlicensed individual practicing cosmetology. A prior complaint was filed against this shop for this same unlicensed individual and was resolved with a \$500.00 civil penalty.

*Prior complaints:*

*2006- Unlicensed conduct - \$500.00 civil penalty*

**Recommendation: Authorize formal hearing; \$1,000.00 civil penalty.**

### **2. Case No.: L07-COS-RBS-2007062101**

May 17, 2007 Notice of Violation provides that the inspector observed an unlicensed individual practicing cosmetology without a license.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty.**

### **3. Case No.: L07-COS-RBS-2007060451**

Complainant alleges that the Respondent, cosmetologist, engaged in unprofessional conduct by giving her an outdated hair style and hair color that was too dark. Complainant requested a refund that was not received and had to go to another salon to get her hair done again.

In response to the complaint, shop owner, indicates that Complainant seemed to be satisfied with the color and they just trimmed her hair. Shop owner also indicates that the Complainant has had a history with the salon of not being happy with their services, and then getting her money back.

**Recommendation: Dismiss; Refer to Consumer Affairs**

### **4. Case No.: L07-COS-RBS-2007062081**

May 8, 2007 Notice of Violation provides that an unlicensed individual was practicing cosmetology at the shop. Shop owner confirmed the person's name and the Board office has no record that the person is licensed in Tennessee.

*Prior complaints: 2002- Unlicensed shop- \$300.00 civil penalty*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty**



**5. Case No.: L07-COS-RBS-2007062051**

May 4, 2007 Notice of Violation provides that the inspector observed an unlicensed individual performing a pedicure on the client. Shop owner provided the person's name and the Board office has no record that the person is licensed in Tennessee.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty**

**6. Case No.: L07-COS-RBS-2007058091**

Complainant alleges that the cosmetology school engages in unprofessional conduct through the following practices: breaking up student kits; taking their books and telling the students they have to buy them back or win them back; students sent to work on the floor without any practical experience; students are not being taught theory properly.

In response, the school owner states that each student kit is properly put together and that each student is given two (2) student kits, which is more than what applicable laws and rules require. School owner also states that all of their instructors are knowledgeable and they have an above-average examination pass rate. Owner states that they have received comments from past students telling them that they felt very ready for the examination and also ready to move into the salon atmosphere after having attended their school.

*Prior complaints: All prior complaints dismissed*

**Recommendation: Dismiss**

**7. Case No.: L07-COS-RBS-2007054751**

Complainant alleges the following violations have or are occurring at the Respondent, school: (1). Student implements and brushes are stored in non-sterile areas and students are not instructed to sanitize the implements before use; (2). Students are working on customers without instructor supervision; (3). Junior instructors are teaching students without instructor supervision; (4). Student instructors teaching without a licensed instructor on the premises; (5). Towels and sheets are being washed without bleach or hot water; (6). Students are performing facials without studying microbiology or sanitation; (7). Students not supplied with or given instruction on the use of protective eye goggles; and (8). Students are told that their tuition covers "supplies", but they are required to purchase what is contained in their kit in addition to the tuition.

School owner responds by stating that students are taught Microbiology and Sanitation in the second week after a student's enrollment and that generally, sanitation is of the utmost importance and is strictly enforced at the school. At one point, the water heater at the school was not large enough and they ran out of hot water for two (2) days; however,

the water heater was quickly replaced. Sometimes they run out of bleach at the school, but it is promptly replenished. There are four (4) licensed Instructors on the premises at all times when the school is open. School recently graduated two (2) Instructor Trainees and during their training, they were required to teach and assist other Instructors with their lesson plans and classrooms, and oversee the clinic floor. School instructor states that at no time were there any trainees at the school without a licensed instructor on the premises. Instructors also oversee the clinic floor by checking a client before and after service and providing assistance to students. Lastly, student kits are furnished for the students, but it is the student's responsibility to replace items in their kits that they used.

*Prior complaints: None*

**Recommendation: Dismiss**

**8. Case No.: L07-COS-RBS-2007051261**

Complainant alleges that there is not adequate instruction at the Respondent, school, that instructors are rarely present and that students are not tested regularly. Specifically, Complainant claims that on the first day of her instruction, she did not have an instructor, books, supplies or any direction and that the aesthetics instructor was hardly ever at the school. Also alleged is that school kits and books were forgotten and on a "rush" order. Complainant also alleges that a cosmetology instructor instructed their aesthetics class and that one of their lessons was using finger painting and play dough. Complainant further alleges that many of the aesthetician students who are two (2) weeks away from graduating had never seen a facial performed or a microdermabrasion.

In response to the complaint, school owner states that the aesthetics instructor was away at training on the first day of school and was then subsequently ill. The instruction involving finger paints and play dough is part of the Milady instruction. School instructor admits miscommunication about the books because they were not in by the time class started. They do not order the kits until everyone is paid in full, so kits are not available on the first day of school. School owner admits that one of the speakers at the school was not a licensed instructor, but on a weekly basis, they have guest artists come to the school and share their experiences. They did have a microdermabrasion machine that was being repaired, but they now have two (2).

Investigation was conducted. Investigator with inspector spoke to current and former students who corroborated the Complainant's experience at the school and also indicated that they experienced some verbal abuse from an instructor.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$2,000 civil penalty and a two (2) year term of probation with the terms that they must submit monthly reports to the Board about the instruction performed, number of students, and performance of the students, availability of books and student's kits, and presence of instructors.**

**9. Case No.: L07-COS-RBS-2007060501**

April 18, 2007 Notice of Violation provides that the inspector observed an unlicensed individual performing nail services. When asked for his license, the individual went to his car but never returned. Shop owner confirmed the person's name and the Board office has no record that the person is licensed in Tennessee.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty**

**10. Case No.: L07-COS-RBS-2007060461**

April 24, 2007 Notice of Violation provides that the inspector observed an unlicensed individual performing nail services. Shop owner confirmed the person's name and the Board office has no record that the person is licensed in Tennessee. The inspector also observed dirty files and buffers; improperly sanitized and stored tools; and, dirty pedicure tubs.

*Prior complaints: 2002 – Unlicensed individual - \$500 civil penalty  
2002 – Unlicensed individual; laminated license; sanitation - \$600 civil penalty*

**Recommendation: Authorize formal hearing; \$750.00 civil penalty**

**11. Case No.: L07-COS-RBS-2007060491**

April 25, 2007 Notice of Violation provides that Respondent cosmetology shop did not have a designated manager at the time of inspection.

*Prior complaints: 1999- expired license - \$300 civil penalty*

**Recommendation: Close with Letter of Instruction**

**12. Case No.: L07-COS-RBS-2007061041**

April 25, 2007 Notice of Violation provides that Respondent cosmetology shop owner was working with an expired personal license (expired June 22, 2006). Respondent was warned once in 2006 to have her license renewed. The inspector returned on May 3, 2007 and Respondent had a copy of her money order dated April 25, 2007.

*Prior complaints: None.*

**Recommendation: Authorize formal hearing; \$300.00 civil penalty**

**13. Case No.: L07-COS-RBS-2007061021**

May 4, 2007 Notice of Violation provides that the inspector observed two individuals working on clients who left when the inspector arrived. Respondent manicure shop owner did not provide the names of the employees. No licenses were displayed and no id tags were worn.

*Prior complaints: 2005 – Unlicensed individual - \$500 civil penalty*

**Recommendation: Close with Letter of Warning**

**14. Case No.: L07-COS-RBS-2007061011**

May 4, 2007 Notice of Violation provides that the inspector observed an individual giving a pedicure who left when the inspector arrived. Respondent manicure shop owner did not provide the names of the employees. No licenses were displayed and no id tags were worn.

*Prior complaints: None.*

**Recommendation: Close with Letter of Warning**

**15. Case No.: L07-COS-RBS-2007061571**

Complainant alleges that the shop owner engaged in unprofessional conduct by asking each female employee if they were having a sexual relationship with the massage therapist at the shop. Complainant also alleges that the shop owner performs body treatments without an aesthetician license and pressures aestheticians to perform manicures and pedicures. Complainant also alleges that they store food that they serve to customers in the chemical closet and the “chocolate fountain” in the relaxation room has never been cleaned.

In response, shop owner claims that the Complainant is a disgruntled employee. Shop owner also states that she did ask the employees if they had an affair with the massage therapist because he was arrested for a sexually related charge and the detective who arrested him wanted to know this information. Shop owner denies storing food inappropriately that is served to clients and denies having the aesthetician perform manicures and pedicures. Shop owner states that she did have the aesthetician assist with some manicures and pedicures because she indicated that she wanted to go back to school. Shop owner does use a Spa Jet which performs steam treatments, infrared heat, vibrating massage, aromatherapy, and chromo therapy. Shop owner states that during her many inspections by the Board of Cosmetology and the Massage Board, she has never been told that she needed a license.

*Prior complaints: None*

**Recommendation: Discussion about possible unlicensed conduct. The board**

**suggests sending a letter to the Department of Health and follow up on this complaint.**

**16. Case No.: L07-COS-RBS-2007058801**

Complainant alleges that the cosmetologist at the salon engaged in unprofessional conduct by putting her hair extensions in improperly. Complainant states that her hair extensions began to fall out the same day that they were put in and more began to fall out in subsequent days. She went back in and went to get them replaced. The extensions came out again, so the Complainant claims she went to another cosmetologist who indicated that the extensions were put in incorrectly and that Complainant's hair was damaged.

Salon coordinator responded and not the actual cosmetologist. She said that the Complainant's extensions came out as "natural shedding" and that when she called again, she would not let them look at her hair.

*Prior complaints: None*

**Recommendation: Discuss**

**17. Case No.: L07-COS-RBS-2007061581**

Complainant alleges that the cosmetology school she was enrolled in dropped her after attending for six (6) months; she claims that she was dropped for non-payment even though she received a full Pell Grant. Complainant then enrolled again and then dropped out. Complainant wants her credit hours to complete her education elsewhere, but the school will not give them to her.

School owner responds that they will not release her hours to her because she has not paid anything toward her tuition other than the non-refundable deposit. School owner states that they have never received any Pell payments toward the Complainant's tuition.

*Prior complaints: None*

**Recommendation: Dismiss**

**18. Case No.: L07-COS-RBS-2007062731**

May 11, 2007 Notice of Violation provides that there were two (2) unlicensed individuals performing manicures at the salon.

*Prior complaints: 2004, Unlicensed conduct, \$1,500 civil penalty*

**Recommendation: Authorize formal hearing; \$2,000.00 civil penalty**

**19. Case No.: L07-COS-RBS-2007062691**

May 9, 2007 Notice of Violation provides that the inspector observed an unlicensed individual performing manicuring in the shop.

*Prior complaints: 2004, Unlicensed conduct, \$1,300.00 civil penalty*

**Recommendation: Authorize formal hearing; \$1,000.00 civil penalty**

**20. Case No.: L07-COS-RBS-2007062681**

May 5, 2007 Notice of Violation provides that the inspector found the following violations at the shop: Unlicensed individual performing manicures, and failure to have the shop license and grade sheet posted.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty**

**21. Case No.: L07-COS-RBS-2007062671**

May 18, 2007 Notice of Violation provides that inspector observed that the Respondent was operating a natural hair styling shop without a shop license and that there was an individual practicing natural hair styling without a license.

*Prior complaints: Pending open complaint*

**Recommendation: Authorize formal hearing; \$2,000 civil penalty (combine with other complaints for formal hearing)**

**22. Case No.: L07-COS-RBS-2007062661**

May 24, 2007 Notice of Violation provides that an unlicensed individual was practicing manicuring without a license.

*Prior complaints: None*

**Recommendation: Authorize formal hearing; \$500.00 civil penalty**

**23. Case No.: L07-COS-RBS-2007060441**

Complainant alleges that the cosmetologist at the salon engaged in unprofessional conduct by putting her hair extensions in improperly. Complainant states that she went back to the same cosmetologist who told her that she would have to have highlights, at an

additional cost, to make it look better. Complainant eventually went to another cosmetologist who fixed the extensions by adding hair to the crown and sides.

A client who witnessed the original installation states that Complainant seemed very pleased with her service at the time. The second cosmetologist states that Respondent improperly installed the hair extensions.

*Prior complaints: None*

**Recommendation: Discuss**

**24. Case No.: L05-COS-RBS-2005043601**

Complainant, a former employee, alleges that Respondent routinely allowed unlicensed employees to shampoo clients and apply chemicals. Respondent states that she did not “expressly or impliedly direct, authorize or encourage” unlicensed activity. Investigation provides statements from four witnesses, all former or current employees, who state that Respondent is unprofessional and verbally abusive to salon employees. The witnesses corroborate the allegation of unlicensed conduct.

*Prior complaints: None*

**Recommendation: Formal Hearing**

MOTION was made by Mr. H. D. Adcock and seconded by Ms. Judy Golden to accept the recommendations with the added corrections. Motion carried unanimously, with Ms. June Huckleby voting no.

**OTHER BUSINESS**

Ms. Judith Jackson thanked everyone for being so kind and helpful.

The board will not meet in the month of July. The next meeting will be held August 6, 2007.

MOTION was made by Ms. Judy Golden and seconded by Ms. Judith Jackson to adjourn the meeting. Motion carried unanimously.